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#101B 1637  
PTO/SB/21 (08-00)

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/828,307
		Filing Date	April 6, 2001
		First Named Inventor	Mack, et al.
		Group Art Unit	1637
		Examiner Name	Kim, Young J.
Total Number of Pages in This Submission	4	Attorney Docket Number	018501-008910US

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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Restriction Requirement (3pp); Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Kevin Bastian	Reg. No. 34,774
Signature		
Date	October 24, 2002	

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By: Stephanie J. Whitehurst

**PATENT**  
Attorney Docket No.: 018501-008910US  
Client Ref. No.: CAN 001-1 US

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Mack, et al.

Application No.: 09/828,307

Filed: April 6, 2001

For: NOVEL METHODS OF  
DIAGNOSING CANCER,  
COMPOSITIONS, AND METHODS OF  
SCREENING FOR CANCER  
MODULATORS

Examiner: Kim, Young J.

Art Unit: 1637

**RESPONSE TO RESTRICTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed September 24, 2002, please amend the above-identified application as follows:

**IN THE CLAIMS:**

Please add new claims 47-51, as follows.

47. A method of diagnosing breast or colorectal cancer comprising:  
a) determining the protein expression of a CZA8 gene or fragment thereof  
in a first tissue type of a first individual; and

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